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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SCOTT FRIEDMAN, an individual,)
Plaintiff,)
v.)
UNITED STATES OF AMERICA;)
GENE M. TIERNEY, individually and)
in his official capacity as an FBI Agent;)
MATTHEW A. ZITO, individually and)
in his official capacity as an FBI Agent;)
THAYNE A. LARSON, individually and)
in his official capacity as an FBI Agent;)
LAS VEGAS METROPOLITAN)
POLICE DEPARTMENT; JOE LEPORE,)
P#6260, individually and in his official)
capacity as an officer of the LAS VEGAS)
METROPOLITAN POLICE)
DEPARTMENT; DARREN HEINER,)
P#2609, individually and in his official)
capacity as an officer of the LAS VEGAS)
METROPOLITAN POLICE)
DEPARTMENT; JASON HAHN, P#3371,)
Case No. 2:18-CV-000857-JCM-VCF
STIPULATION AND ORDER TO DEFER BRIEFING ON THE UNITED STATES' MOTION TO DISMISS [ECF No. 39]
(First Request)

1 individually and in his official capacity)
2 as an officer of the LAS VEGAS)
3 METROPOLITAN POLICE)
4 DEPARTMENT; Tali Arik, an individual;)
5 Julie Bolton, an individual; and Arik)
6 Ventures, an entity formed by Tali Arik,)
Defendants.)
)

7 IT IS HEREBY STIPULATED and AGREED by and between Defendant the United
8 States of America, by and through GREG ADDINGTON, Assistant United States Attorney, and
9 Plaintiff SCOTT FRIEDMAN, by and through his counsel, MELANIE A. HILL and LISA A.
10 RASMUSSEN, that the briefing on the United States' Motion to Dismiss [ECF No. 39] be
11 deferred. This Stipulation is executed for the following reasons:

- 12 1. AUSA Addington filed a Motion to Dismiss [ECF No. 39] on behalf of the United
13 States *only* on July 26, 2018 and Plaintiffs response is due on August 9, 2018.
- 14 2. After filing his Motion to Dismiss on behalf of the United States, AUSA Addington
15 was assigned to represent the three FBI agents named as Defendants in the
16 Complaint, GENE M. TIERNEY, MATTHEW A. ZITO, and THAYNE A.
17 LARSON (hereinafter referred to collectively as the "FBI agents").
- 18 3. The parties have agreed that AUSA Addington has until August 27, 2018 to file a
19 responsive pleading on behalf of the FBI agents. AUSA Addington has informed
20 counsel for Plaintiff that he intends to file a Motion to Dismiss on behalf of the FBI
21 agents on or before August 27, 2018.
- 22 4. The parties are therefore requesting that the Court defer briefing on the pending
23 Motion to Dismiss [ECF No. 39] filed on behalf of the United States *only* to allow a
24 Motion to Dismiss to be filed on behalf of the FBI agents. At that time, the parties
25 will submit a proposed briefing schedule for the two Motions to Dismiss so that the
26 Motions can continue on the same motion briefing track. The parties are expecting
27 to avoid unnecessary duplication of effort in the briefing of the United States'
28

Motion to Dismiss and the anticipated motion to be filed in behalf of the FBI agents and thereby prevent the wasting of resources for the Court and the parties by streamlining the litigation.

5. The request for additional time in this Stipulation is made in good faith and not for
the purposes of delay.

Dated this 8th day of August, 2018.

Respectfully submitted by,

DAYLE ELIESON
UNITED STATES ATTORNEY

By: /s/ Greg Addington
GREG ADDINGTON
Assistant U.S. Attorney

MELANIE HILL LAW PLLC

By: /s/ Melanie A. Hill
MELANIE A. HILL
Attorney for Plaintiff Scott Friedman

LAW OFFICE OF LISA RASMUSSEN, P.C.

By: /s/ Lisa A. Rasmussen
LISA A. RASMUSSEN
Attorney for Plaintiff Scott Friedman

ORDER

IT IS SO ORDERED.

Dated August 10, 2018.


JAMES C. MAHAN

UNITED STATES DISTRICT JUDGE